

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

CHRISTOPHER SCHAFFERS,)	
)	
Plaintiff,)	
)	No. 2:24-cv-02258-TLP-tmp
v.)	
)	JURY DEMAND
METHODIST LEBONHEUR,)	
)	
Defendant.)	

ORDER ADOPTING REPORT AND RECOMMENDATION

Plaintiff Christopher Schaffers sued Methodist LeBonheur and moved to proceed in forma pauperis. (ECF Nos. 2, 3.) But Plaintiff’s motion to proceed in forma pauperis was incomplete. So on May 10, 2024, Chief Magistrate Judge Pham ordered Plaintiff to either submit a properly completed and executed in forma pauperis application or pay the \$405.00 civil filing fee within thirty days of the entry of that order. (*See* ECF No. 7.) In his Order, Chief Judge Pham also warned Plaintiff that failure to comply would lead the Court to dismiss his case under Federal Rule of Civil Procedure 41(b). (*Id.*) To date, Plaintiff has not submitted a proper in forma pauperis application or paid the filing fee. Chief Judge Pham has therefore entered a Report and Recommendation (“R&R”) recommending that Plaintiff’s case be dismissed for failure to comply with a court order.

LEGAL STANDARD

Under Rule 41(b), a court may dismiss an action for failure to comply with a court order. Fed. R. Civ. P. 41(b). Generally, a Rule 41(b) dismissal “operates an adjudication on the merits.” *Id.*

A magistrate judge may submit to a district court judge proposed findings of fact and a recommended ruling on certain pretrial matters, including whether to dismiss a case on summary judgment. 28 U.S.C. § 636(b)(1)(A)–(B). And “[w]ithin 14 days after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations.” Fed. R. Civ. P. 72(b)(2); *see also* 28 U.S.C. § 636(b)(1). If the parties do not object, then a district court reviews an R&R for clear error. Fed. R. Civ. P. 72, advisory committee notes. And the district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). The district court need not articulate all its reasons for rejecting a party’s objection. *Tuggle v. Seabold*, 806 F.2d 87, 92 (6th Cir. 1986).

Chief Judge Pham entered his R&R on June 14, 2024. (ECF No. 8.) Neither party has objected and the time for doing so has passed. The Court therefore reviews the R&R for clear error.

DISPOSITION

After reviewing for clear error, the Court finds none. The Court therefore **ADOPTS** Chief Judge Pham’s R&R and **DISMISSES WITH PREJUDICE** Plaintiff’s case.

SO ORDERED, this 19th day of July, 2024.

s/Thomas L. Parker

 THOMAS L. PARKER
 UNITED STATES DISTRICT JUDGE